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UNITED STATES DISTRICT COURT

## DISTRICT OF NEVADA

ANDY QUEZADA,

Case No. 2:23-cv-00653-ART-VCF

Petitioner,

ORDER

v.

CLARK COUNTY DETENTION  
CENTER,

Respondents.

9 *Pro se* Petitioner Andy Quezada has filed a Petition for Writ of Habeas  
10 Corpus under 28 U.S.C. § 2241. (ECF No. 1-1 (“Petition”)). Quezada has not  
11 properly commenced this habeas action by either paying the standard \$5.00 filing  
12 fee or filing an application for leave to proceed *in forma pauperis* (“IFP”). Pursuant  
13 to 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$5.00  
14 filing fee is required to initiate a habeas action in a federal district court. The  
15 court may authorize an indigent prisoner to begin a habeas action without paying  
16 the \$5 fee if he or she submits an IFP application on the approved form and  
17 includes three specific documents: (a) the prisoner’s financial declaration and  
18 acknowledgement showing an inability to prepay fees and costs, (b) a financial  
19 certificate signed by the prisoner and an authorized prison official, and (c) a copy  
20 of the prisoner’s account statement for the six-month period prior to filing. 28  
U.S.C. § 1915(a); LSR 1-1, LSR 1-2.

22 Quezada explains that he has “filled out and filed a payment of \$5.00” but  
23 “compliance has not been a positive one from Clark County Detention Center.”  
24 (ECF No. 1-1 at 9.) Quezada will have 45 days from the date of this order to pay  
25 the \$5 filing fee or submit a complete IFP application with all required  
26 documentation.

27 It is therefore ordered that within 45 days of the date of this order, Quezada  
28 must file an IFP application that includes: (a) a financial certificate signed by

1 Quezada and an authorized prison official, (b) a financial declaration and  
2 acknowledgement signed by Quezada, and (c) a copy of Quezada's inmate  
3 account statement for the six-month period prior to filing. Alternatively, Quezada  
4 must pay the \$5 filing fee within 45 days. If Petitioner decides to pay the filing fee  
5 from his inmate account, he must arrange to have a copy of this order attached  
6 to the check for the filing fee. Quezada's failure to timely comply with this Order  
7 will result in the dismissal of this action without prejudice and without further  
8 advance notice.

9 It is further ordered that the Clerk of Court send Quezada a blank copy of  
10 the IFP application form for inmates along with instructions and two copies of  
11 this order.

12 DATED THIS 1<sup>st</sup> day of May 2023.



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15 ANNE R. TRAUM  
16 UNITED STATES DISTRICT JUDGE  
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